

REMARKS

In Paragraph 1 of the Office Action, the Examiner objected to the drawings and specifically the dual use of the reference numeral 920. A copy of Sheet 9 (Figure 9) is included herewith marked up to indicate that the reference to heat sink devices has been changed to 921 and paragraph 0034 in the specification has been changed accordingly, as indicated above.

In Paragraph 2, the Examiner has objected to the drawings in regards to "and/or" claim language recited in Claim 50 and some of the other claims. As indicated above, the appropriate claims including Claim 50 have been amended to eliminate the and/or language. However, the intent of the new language is to cover the situation where light may indeed emanate from the illumination device both in a direct and reflective mode. Clearly some light from the LEDs 902 will escape the reflector 910 without impinging on the reflector. And this is also true for the LEDs 502 shown in Figure 5, that is, some light will impinge the reflector 510.

Referring now to Paragraphs 3 – 5 the Examiner objected to the language "such as a flashlight" in Claims 50 and 58. This particular language has been deleted. Claim 62 objected to in Paragraph 6 of the Office Action has been canceled.

Claims 50, 58 and 60 (Paragraphs 7 and 8 in the Office Action) have been rejected under 35USC102 as being anticipated by the Ignon et al patent (hereinafter "Ignon"). It is submitted that the claims in question are not anticipated by Ignon. This patent describes a flickering candle lamp which uses an electric light source not a solid states source and certainly not an LED. Moreover, there is no reflector cooperating with the electric light source to project a beam of light in the direction of a particular axis. Rather, this device uses a plastic lens. Indeed, the patent states in its BACKGROUND OF THE INVENTION:

A self-contained battery operated electric lamp is provided for use as a table lamp in restaurants, and which is intended to replace existing candle holders. The lamp provides a flickering light which simulates a candle.

Claim 50 on the other hand specifically requires a solid state light source (an LED as recited in dependent Claim 53). Moreover, Claim 50 is claiming a device for illuminating an object by directing a beam of light from the device along a forwardly extending axis onto the object and this is accomplished by combining the solid state light source mounted on one surface of a printed circuit board with the recited reflector arrangement. For these reasons, it should be clear that Claim 50 is not anticipated by the Ignon patent.

Claim 58 is directed to an illumination assembly including a solid states light source mounted on one surface of a circuit board. This assembly is intended for use in the device recited in Claim 50 and for the reasons recited immediately above, it is submitted that Claim 58 is not anticipated by Ignon. Still for many of the same reasons, Claim 60 is not anticipated by Ignon.

In Paragraphs 9 and 10, the Examiner has rejected Claim 51 -53, 59, 61 and 62 under 35USC103 as being unpatentable over Ignon in view of the patent publication to Barlian. In making this rejection, the Examiner relies on Barlian for its disclosure of an indicating light which uses an LED mounted to a printed circuit board. While the Examiner states that the LED is mounted within a reflective housing, it is clear from Barlian that this reference does not include a reflector arrangement cooperating with the LED to project a light beam in the general direction of a forwardly extending axis for illuminating an object. And so, even if one successfully combines these references he or she at best comes up with a flickering candle using an LED instead of an electric light and this does not teach or suggest the illumination device of Claim 50 or, more specifically, the flashlight of Claim 63 or the illumination assembly of Claims 58 and 60. Note in particular the amended language in Claim 51 describing the positional relationship between the LED, the front planar surface of the printed circuit board and the central axis. This is entirely different than what is shown in Barlian. Thus, It is submitted that these differences would not be obvious to one with ordinary skill in the art.

In Paragraph 11 of the Office Action, the Examiner rejected Claim 54 under 35USC103 as being unpatentable over Ignon in view of the Incerti patent. This reference is deficient in numerous way and certainly does not correct the deficiencies in Ignon, as outlined above, especially in view of the amendment to Claim 54. First, Incerti does not project a beam out into a forward direction. Second, the LED does not have its mounting end mounted to the front surface of the printed circuit board but rather to one edge. Third, the free end of the LED and its mounting end do not define an axis normal to the front surface of the printed circuit board but rather parallel to it. It is submitted that these differences would not be obvious to one with ordinary skill in the art.

In Paragraph 12 of the Office Action, the Examiner rejected Claims 55 and 57 under 35USC103 as being unpatentable over Ignon in view of the Serizawa publication. Claim 55 has been canceled in favor of new Claim 65 to be discussed immediately below. With regard to Claim 57, while it is true that Serizawa discloses a vehicle lamp including a plurality of LEDs mounted on a circuit board, the circuit board does not appear to include control circuitry on either of its surfaces. Moreover, Serizawa does not aid in correcting the deficiencies in Ignon, as discussed above.

Applicant acknowledges the conditional allowance of dependent claim 56. This claim and Claim 55 have been canceled in favor of new Claim 65 which is not exactly Claim 56 in independent form. For the most part, the light reflector arrangement of Claim 50 has been omitted since it is not necessary in this particular embodiment. However, all of the subject matter of conditionally allowed dependent Claim 56 is in new Claim 65.

In view of the foregoing, it is submitted that the claims, as they now stand, are allowable. Hence, allowance of these claims and passage to issue of the present application is respectfully submitted.

Respectfully submitted,



Michael M. Pritzkau
Reg. No. 37,913